



SCOPE

This assessment tool is to be used when preparing any new Council Policy or amending/updating an existing policy. It also applies to any new or updated CEO Directive.

WHY DO WE NEED AN ASSESSMENT TOOL?

The Charter of Human Rights and Responsibilities Act 2006 and the *Gender Equity Act 2020* both require Council to consider the impacts on rights and responsibilities when making decisions, preparing, or updating a new local law, when making changes to council services and when preparing/updating new policies and procedures. Council is also required to consider climate change mitigation and planning in its decisions under section 9 of the *Local Government Act 2020*. This same act also outlines strategic principles that must be considered when developing or updating policies and directives.

This tool is to guide you through how to complete such an assessment to ensure that Council is meeting its legislative obligations, as well as ensuring there is no unconscious bias or inadvertent adverse implications for peoples' rights when preparing policies and CEO Directives.

HOW DO I USE THIS TOOL?

You must use this tool whenever updating or preparing a new Council Policy or CEO Directive. This assessment will form part of the documentation provide to ELT and Council to inform their consideration of the proposed policy or directive.

All sections of the tool need to be completed – if there are no apparent implications, then please write something along the lines of '*It is considered there are no implications at the time of preparing this document.*' For the *Local Government Act 2020* principles, you may include the text '*Not applicable*' if it is irrelevant to the policy or directive.

CONSIDERATION OF PRINCIPLES OUTLINED BY THE LOCAL GOVERNMENT ACT 2020

Principle	Comment
Governance and Strategic Principles (section 9)	
Council decisions are to be made and actions taken in accordance with the relevant law	The Open Data Policy is prepared with relevant consideration into Local Government Act 2020 and other relevant legislations.
Priority is to be given to achieving the best outcomes for the municipal community, including future generations	This policy provides direction on the release, licensing and management of data so that it can be used and reused by the community and businesses
The economic, social, and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	It is considered and there are no implications at the time of preparing this document.
The municipal community is to be engaged in strategic planning and strategic decision making	It is considered and there are no implications at the time of preparing this document.
Innovation and continuous improvement is to be pursued	This Policy aims to achieve continuous improvement and provide clear process on the release, licensing and management of data so that it can be used and reused by the community and businesses.
Collaboration with other Councils and Governments and statutory bodies is to be sought	Information has been gathered from other like agencies in the sector in development of this Policy.
The ongoing financial viability of the Council is to be ensured	No financial impact from this policy.
Regional, state, and national plans and policies are to be taken into account in strategic planning and decision making	It is considered and there are no implications at the time of preparing this document.
The transparency of Council decisions, actions and information is to be ensured	This policy provides direction on the release, licensing and management of data so that it can be used and reused by the community and businesses
Community Engagement Principles (section 56)	
A community engagement process must have a clearly defined objective and scope	It is considered there are no implications at the time of preparing this document.
Participants in community engagement must have access to objective, relevant and timely information to inform their participation	Not applicable in the development of this Policy.
Participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement	Not applicable in the development of this Policy.

OFFICIAL

Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;	Not applicable in the development of this Policy.
Principle	Comment
Participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making	Not applicable in the development of this Policy.
Public Transparency Principles (section 58)	
Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act	All the provisions in this policy have a transparent decision-making process defined. Council decisions are available to public.
Council information must be publicly available unless— (i) the information is confidential by virtue of this Act or any other Act; or (ii) public availability of the information would be contrary to the public interest	This policy is complied with this provision.
Council information must be understandable and accessible to members of the municipal community	This policy is complied with this provision.
Public awareness of the availability of Council information must be facilitated	This policy is complied with this provision.
Strategic Planning Principles (section 89)	
A Council must undertake the preparation of its Council Plan and other strategic plans in accordance with the strategic planning principles	It is considered and there are no implications at the time of preparing this document.
An integrated approach to planning, monitoring and performance reporting is to be adopted	It is considered and there are no implications at the time of preparing this document.
Strategic planning must address the Community Vision	It is considered and there are no implications at the time of preparing this document.
Strategic planning must take into account the resources needed for effective implementation	It is considered and there are no implications at the time of preparing this document.
Strategic planning must identify and address the risks to effective implementation	It is considered and there are no implications at the time of preparing this document.
Strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.	It is considered and there are no implications at the time of preparing this document.

OFFICIAL

Principle	Comment
Financial Management Principles (section 101)	
Revenue, expenses, assets, liabilities, investments, and financial transactions must be managed in accordance with a Council's financial policies and strategic plans	It is considered and there are no implications at the time of preparing this document.
Financial risks must be monitored and managed prudently having regard to economic circumstances For the purposes of the financial management principles, financial risk includes any risk relating to the following— (a) the financial viability of the Council (b) the management of current and future liabilities of the Council (c) the beneficial enterprises of the Council	It is considered and there are no implications at the time of preparing this document.
Financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community	This is considered in this policy.
Accounts and records that explain the financial operations and financial position of the Council must be kept	It is considered and there are no implications at the time of preparing this document.
Service Performance Principles (section 106)	
Services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community	This is considered in this policy.
Services should be accessible to the members of the municipal community for whom the services are intended	This is considered in this policy.
Quality and costs standards for services set by the Council should provide good value to the municipal community	This is considered in this policy.
A Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring	This is considered in this policy.
Service delivery must include a fair and effective process for considering and responding to complaints about service provision	This is considered in this policy.

CONSIDERATION OF CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 IMPACTS

Council can limit human rights when those limitations can be justified. This means that Council can continue to make decisions on behalf of the community about how best to balance rights, ensure community safety, and use limited funding for competing public interest challenges.

Are there any human rights implications arising from this policy or directive in relation to the 20 substantive rights? Note: some rights have been excluded that do not apply to local government (eg deprivation of liberty)	Analysis
Recognition and equality before the law (section 8)	It is considered and there are no implications at the time of preparing this document.
Right to life (section 9)	It is considered and there are no implications at the time of preparing this document.
Protection from torture and cruel, inhuman, or degrading treatment (section 10)	It is considered and there are no implications at the time of preparing this document.
Freedom from forced work (section 11)	It is considered and there are no implications at the time of preparing this document.
Freedom of movement (section 12)	It is considered and there are no implications at the time of preparing this document.
Privacy and reputation (section 13)	It is considered and there are no implications at the time of preparing this document.
Freedom of thought, conscience, religion, and belief (section 14)	It is considered and there are no implications at the time of preparing this document.
Freedom of expression (section 15)	It is considered and there are no implications at the time of preparing this document.
Peaceful assembly and freedom of association (section 16)	It is considered and there are no implications at the time of preparing this document.
Protection of families and children (section 17)	It is considered and there are no implications at the time of preparing this document.
Right to take part in public life (section 18)	It is considered and there are no implications at the time of preparing this document.
Cultural rights (section 19)	It is considered and there are no implications at the time of preparing this document.

OFFICIAL

Property rights (section 20)	It is considered and there are no implications at the time of preparing this document.
Liberty and security of person (section 21)	It is considered and there are no implications at the time of preparing this document.
Fair hearing (section 24)	It is considered and there are no implications at the time of preparing this document.
Rights in criminal proceedings (section 25)	It is considered and there are no implications at the time of preparing this document.
Overall, does the policy, local law or decision raise human rights issues?	It is considered and there are no implications at the time of preparing this document.
Are there any human rights implications arising from this policy or directive in relation to the 20 substantive rights? Note: some rights have been excluded that do not apply to local government (eg deprivation of liberty)	Analysis
Overall, does the policy, local law or directive restrict or interfere with the scope of the human right/s identified? If yes, are the limitations or restrictions reasonably and demonstrably justified under Section 7 of the Human Rights Charter?	No, it is considered and there are no implications at the time of preparing this document.
Are there any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve?	No, it is considered and there are no implications at the time of preparing this document.

GENDER EQUITY IMPACT ASSESSMENT

Gender impact assessments (GIAs) are designed to help organisations think critically about how policies, programs and services will meet the different needs of women, men, and gender diverse people. The purpose GIAs is to create better and fairer outcomes, and make sure all people have equal access to opportunities and resources.

Your gender can affect your needs and experiences. This means that policies, programs, and services can affect people of different genders in different ways. If we don't think about how their work affects different people, they might unintentionally reinforce inequalities.

A gender impact assessment must:

- assess the effects that the policy, program, or service may have on people of different genders
- explain how the policy, program or service will be changed to better support Victorians of all genders and promote gender equality
- where practical, apply an intersectional approach to consider how gender inequality can be compounded by disadvantage or discrimination that a person may experience on the basis of other factors such as age, disability, or ethnicity.

Step 1 – Defining the issues and challenge your assumptions	
What is the issue the policy or directive is aiming to address (think about why it is needed)?	This policy is inclusive of all. This policy provides direction on the release, licensing and management of data so that it can be used and reused by the community and businesses.
Are the people who are targeted and impacted by the policy or directive included in the decision-making?	This policy is inclusive of all.
Do you think that people of different genders access this policy or directive at the same rate?	Yes, this policy is inclusive of all.
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	This policy is inclusive of all.
Do you think that everyone who accesses this policy or directive has the same needs from it?	Yes, this policy is inclusive of all.
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	This policy is inclusive of all.
What additional needs might there be for people with disabilities, or from different cultural identities, ages, gender identities, sexual orientations, or religions?	This policy is inclusive of all.

OFFICIAL

Step 2 – Understanding the policy context	
What information is available to understand who is likely to be affected by the policy or directive?	This policy provides direction on the release, licensing and management of data so that it can be used and reused by the community and businesses.
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	By enabling greater public access to information, the policy is intended to: <ul style="list-style-type: none"> • help support research, promote innovation and stimulate growth in the local economy • foster community engagement and collaboration; and • provide opportunities for more cost effective, efficient and responsive government.
What did the research and evidence tell you? List key points and references/evidence	No specific research required or conducted.
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	No specific consultation required for this policy.
What information is available to understand the lived experiences of the diverse groups who will be affected?	No specific consultation required for this policy.
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	Internal Data, Consultation
What did the research and evidence tell you? List key points and references/evidence	No specific research required or conducted
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	No specific consultation targeted for diverse groups. Internal consultation and review of draft Policy occurred, provided to Council for endorsement
How is this policy or directive likely to have different impacts for different people?	By enabling greater public access to information, the policy is intended to: <ul style="list-style-type: none"> • help support research, promote innovation and stimulate growth in the local economy • foster community engagement and collaboration; and • provide opportunities for more cost effective, efficient and responsive government.

OFFICIAL

Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	Internal Data, Consultation
What did the research and evidence tell you? List key points and references/evidence	No specific consultation required for this policy.
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	No formal consultation undertaken; parameters are set within the legislation. Review undertaken by Senior Officers and presented to Council for endorsement.
Step 3 – Options analysis	
What are the policy options? For each option describe the proposed policy solution. Provide a brief description of the proposed strategies, activities, or service design elements and how they will meet the needs and create benefit for the target audience.	By enabling greater public access to information, the policy is intended to: <ul style="list-style-type: none"> • help support research, promote innovation and stimulate growth in the local economy • foster community engagement and collaboration; and • provide opportunities for more cost effective, efficient and responsive government.
What are the potential policy options and what gendered impact might they have?	There are no identified gendered groups in this policy.
What are the gendered costs and risks? <ul style="list-style-type: none"> • Who is likely to be negatively impacted by this? How are the most vulnerable groups likely to be impacted? • Will this reduce a certain group's access to economic resources or opportunities? If so, are they already disadvantaged? • Does it reinforce harmful gender stereotypes, for example, further promoting men in a male dominated industry? 	There are no identified gendered groups in this policy It is considered and there are no implications at the time of preparing this document.
What are the gendered benefits? <ul style="list-style-type: none"> • Will some people benefit more because they have greater access, or does this policy, program or service do everything it can to ensure resources are distributed and used equally? • Will it contribute to transforming gender norms in a positive way? Eg will it contribute to a more balanced distribution of unpaid care labour and family responsibilities between women and men? • Will it make women and children safer in public or private spaces? 	There are no identified gendered groups in this policy. It is considered and there are no implications at the time of preparing this document.

OFFICIAL

Will some people benefit more because they have greater access, or does this policy, program or service do everything it can to make sure resources are distributed and used equally?	No advantages, this policy is inclusive of all.
Will it contribute to transforming gender norms in a positive way?	It is considered and there are no implications at the time of preparing this document.
Does your policy, program or service potentially have negative unintended consequences for certain groups of people?	It is considered and there are no implications at the time of preparing this document.
Overall, do the benefits outweigh the costs or vice versa?	This policy provides direction on the release, licensing and management of data so that it can be used and reused by the community and businesses.
Step 4 Recommendations	
Provide the rationale for the proposed recommendation and include any mitigation strategies that could be used to avoid any harmful unintended outcome.	It is considered and there are no implications at the time of preparing this document.
<p>Include here the rationale for your recommendation as well as any mitigation strategies needed. In line with the <i>Gender Equality Act</i>, explain:</p> <ul style="list-style-type: none"> • how your recommendation meets the needs of persons of different genders • how it addresses gender inequality • how it promotes gender equality. 	<p>This policy provides direction on the release, licensing and management of data so that it can be used and reused by the community and businesses.</p> <p>It is considered and there are no implications at the time of preparing this document.</p>

HANDY HINTS

The above questions have been derived from the Gender impact assessment toolkit produced by the Commission for Gender Equality in the public sector. To access the gender equity impact assessment toolkit for more information, please use this link [Gender impact assessment toolkit | Commission for Gender Equality in the Public Sector \(genderequalitycommission.vic.gov.au\)](https://www.genderequalitycommission.vic.gov.au/gender-impact-assessment-toolkit).

For Open Source gender data and research, please use the following resource – the final page is where you will find links to data and resources. [DPC 2011 CGEPS GIA-Templates & Resources FA-Web 0.pdf](#)

For Step 3 the following will assist in identifying whether an impact is a cost or a benefit for gender equity:

Negative or neutral gender impact

- Perpetuates gender inequality by reinforcing unbalanced norms, roles, and relations.
- Privileges men over women and gender diverse people (or vice versa).

OFFICIAL

- Ignores differences in opportunities and resource allocation for people of different genders.
- Does not take into account issues of intersectionality.

Positive gender impact

- Considers gender norms, roles, and relations for people of different genders and how they affect access to and control over resources.
- Promotes the elimination of existing gender gaps, or at least a significant reduction of them.
- Addresses the causes of gender-based health inequities, including the prevention of violence against women, girls, and gender diverse people.
- Includes ways to transform harmful gender norms, roles, and relations.

CLIMATE CHANGE ADAPTATION/MITIGATION AND SUSTAINABILITY CONSIDERATIONS

The Local Government Act 2020 requires council to consider climate change mitigation and adaptation measures in all its key decision making, which includes policy development.

Council has finalised its Climate Change Action Plan after declaring a Climate Emergency in 2021. This Action Plan has five (5) key actions areas:

- Protecting our natural environment
- Reducing our emissions
- Our climate resilient community
- Moving sustainability: transport
- Advocating for change

Strathbogie Shire Council [Climate Change Action Plan 2022 – 2027](#) [Climate Action - Strathbogie Shire](#)

Our Climate Resilient Community	Comment
Increasing heat	There are no impacts at the time of preparing this document.
Changing rainfall patterns, drought conditions, and extreme meteorological conditions	There are no impacts at the time of preparing this document.
Increased bushfire conditions and declining volunteer numbers	There are no impacts at the time of preparing this document.
Increased social impacts	There are no impacts at the time of preparing this document.

OFFICIAL

Reducing our emissions	Comment
Net Zero by 2025	There are no impacts at the time of preparing this document.
Energy Efficiency	There are no impacts at the time of preparing this document.
Energy Storage	There are no impacts at the time of preparing this document.
Renewable Energy	There are no impacts at the time of preparing this document.
Community Renewable Energy	There are no impacts at the time of preparing this document.
Conserving valuable potable water	There are no impacts at the time of preparing this document.
Stormwater management	There are no impacts at the time of preparing this document.
Adaptive and recycled water resources	There are no impacts at the time of preparing this document.
Keeping our shire green, cool, and resilient	There are no impacts at the time of preparing this document.
Advocating for Change	Comment
Are we increasing resilience?	There are no impacts at the time of preparing this document.
What is the impact?	There are no impacts at the time of preparing this document.
Economic benefits	There are no impacts at the time of preparing this document.
Protecting our natural environment	Comment
Deforestation	There are no impacts at the time of preparing this document.
Rural green infrastructure	There are no impacts at the time of preparing this document.
Increasing our urban canopy	There are no impacts at the time of preparing this document.
Rural roadsides	There are no impacts at the time of preparing this document.
Rivers and Wetlands	There are no impacts at the time of preparing this document.
Benefitting from our native forests	There are no impacts at the time of preparing this document.

OFFICIAL

Moving sustainably: Transport	Comment
Security of fuel supply	There are no impacts at the time of preparing this document.
Transition to new fuel economy	There are no impacts at the time of preparing this document.
Enabling access to the outdoors	There are no impacts at the time of preparing this document.
Alternative fuel sources	There are no impacts at the time of preparing this document.